PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	)	
	)	Group Art Unit: 1632
Eduardo MARBAN et al.	)	
	)	Examiner: David A. MONTANARI
Serial No. 10/678,723	)	
	)	Atty. Dkt. No. 001107.00459
Filed: October 02, 2003	)	
	)	Confirmation No. 6122

For: **FOCAL CALCIUM CHANNEL MODULATION**

PATENT TERM ADJUSTMENT

U.S. Patent and Trademark Office
Randolph Building
401 Dulany Street
Alexandria, VA 22314

Sir:

We have reviewed the Patent Term Adjustment calculation and believe the term adjustment may be longer than appropriate. We request that the Patent and Trademark Office review the calculation.

In particular, it appears that the Patent and Trademark Office miscalculated the period of time from unintentional abandonment on February 17, 2007, until the date which is four months after a granted petition to revive was entered on October 3, 2007, *i.e.,* until February 3, 2008. It appears that the Patent and Trademark Office used for calculation the date of mailing a notice of abandonment rather than the actual date upon which the application became abandoned by law.

Please review and recalculate this time period.

Respectfully submitted,

BANNER & WITCOFF, LTD.

Dated: September 14, 2011

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